

**DELINE FIRST NATION BAND
DELINE LAND CORPORATION**

RESOLUTION

WHEREAS the negotiators for the Deline First Nation Band, the Deline Land Corporation, Canada and the Government of the Northwest Territories have reached agreement on the Deline Final Self-Government Agreement.

AND WHEREAS the Deline Final Self-Government Agreement is intended to become a treaty protected by the Constitution of Canada and it must be submitted for a Ratification Vote by the Deline First Nation Band and the Deline Land Corporation.

AND WHEREAS the Ratification Vote of the members of the Deline First Nation Band and the Deline Land Corporation is scheduled to be held in March 2014.

AND WHEREAS it is also provided in the Deline Final Self-Government Agreement that a Constitution setting out the principles for the Deline Got'ine Government be approved by the members of the Deline First Nation Band and the members of the Deline Land Corporation on or before the date of the Ratification Vote.

AND WHEREAS a draft Constitution has now been prepared and is attached to this motion;

NOW THEREFORE IT IS AGREED:

1. The Chief Negotiator for Deline be authorized to initial the Deline Final Self-Government Agreement and related agreements to be submitted to the members in the Ratification Vote.
2. The draft Constitution be submitted to a special Joint Assembly of Deline Land Corporation and the Deline First Nation Band for discussion and approval to be held on January , 2014.
3. A copy of the Constitution as approved be provided to voters on the Ratification Voters List for information.

Dated this 27th day of November, 2013.

DELINE FIRST NATION BAND



DELINE LAND CORPORATION



Draft #9

November 19, 2013

DÉLÎNÊ FIRST NATION CONSTITUTION
(DÉLÎNÊ GOT'ÎNÊ ÆÆDÓ)

Preamble

We are the *Sahtuto'ine*, known as the Bear Lake People. We are the descendants of the prophet *Eht'se Aya*. We have lived on our land since time immemorial, long before the arrival of Europeans. For all this time our land has been called Délînhê and we have been called the *Sahtuto'ine*.

Great Bear Lake and our traditional territories have sustained us physically, culturally, and spiritually for thousands of years. We are part of the land and it is part of us; we fish, hunt and trap, just as our forebears did. We depend on the fish and the caribou and other wildlife.

Our history and knowledge exists in the stories of the places and routes where our people have lived and travelled since time immemorial, where we continue to live and travel.

The Creator has given us responsibility to care for and live in harmony with the lands, waters, animals, and all life that is here, which is the basis of our language, culture and traditions, and which gives us life.

We respect the wisdom of our ancestors, their knowledge and teachings.

We respect the Dene Laws.

The Creator sent *Yamoria* to bring

peace and life by giving people and animals laws to live by.

We respect the wisdom of our elders. They hold experience and knowledge of the lands, animals, waters, and our *Sahtuto'ine* language and culture.

We respect the wisdom and teachings of *Ehtseo Ayah*, the Prophet. He told of our future as *Sahtuto'ine*. He told of our continuing responsibility for the lands, waters, and animals necessary to our existence. He told of the importance of our language, culture, and spirituality as the source of our strength.

We recognize the importance of all *Sahtuto'ine* working together: women and men, elders, adults and youth. We maintain our customs, our traditions and our laws. Our traditional knowledge is passed down from elders to the younger generations. We respect and acknowledge our elders. The younger generations carry our hopes for the future of our people.

Our language is strong. We speak the language of the people of the Bear Lake, sometimes called North Slavey.

It is our responsibility to love, respect and protect our traditional lands and the places and life within, according to the teachings of our elders for the benefit of future generations of

Sahtuto'ine.

Treaty 11, signed in 1921 by our ancestors, recognizes our relationship of peace and coexistence with Canada. It recognizes us as the original people of our traditional territories.

The *Sahtu Dene and Metis Comprehensive Land Claim Agreement* signed in 1993 recognizes our relationship with Canada. It describes rights we have as the original people in our traditional territories.

The *Sahtuto'ine* maintain our rights and responsibilities as given to us by the Creator, including our right of self-government.

The *Sahtuto'ine* seek to govern as one people under one institution, the Délîné Got'îné Government.

The *Sahtuto'ine* have therefore negotiated the Délîné Self-Government agreement with Canada and the Government of the Northwest Territories to establish a unified aboriginal public government at the community level.

The Délîné Got'îné Government is responsible for decision making that is rooted in the history, culture and ways of *Sahtuto'ine*.

The Délîné Got'îné Government is based on openness and the participation of all *Sahtuto'ine*.

The Délîné Got'îné Government will protect the rights, interests, language, culture, traditions, heritage and traditional economy and the responsibilities to the land, of the

Sahtuto'ine.

The Délîné Got'îné Government will recognize and collaborate with other Aboriginal peoples, our non-Aboriginal residents and neighbours and governments.

1. Definitions

1.1 The terms used in this Délîné Got'îné Æædó have the same meaning as in the Final Self-Government Agreement.

2. Status of the Délîné Got'îné Æædó

2.1 The laws of the Délîné Got'îné Government shall be consistent with this Délîné Got'îné Æædó and with the Final Self-Government Agreement.

2.2 This Délîné Got'îné Æædó and the laws and decisions of the Délîné Got'îné Government are subject to the *Canadian Charter of Rights and Freedoms*.

2.3. If there is any conflict between this Délîné Got'îné Æædó and the provisions of the Final Self-Government Agreement, the provisions of the Final Self-Government Agreement will prevail to the extent of the conflict.

3. Délîné Got'îné Government

3.1 The Délîné First Nation with Canada and the GNWT has negotiated the Final Self-Government Agreement to establish a unified aboriginal public government and has chosen to act through the Délîné Got'îné Government to exercise its capacity, rights, powers and privileges and to carry its duties, functions and obligations.

3.2 The Délîné Got'îné Government represents the interests of all: men,

women, elders and youth. It must respect our Dene culture, language, heritage, traditions and ways and inherent rights and the responsibilities of Délîné First Nation citizens to lands, waters, language, heritage, traditions, economy and way of life.

3.3 Délîné Got'îné Government must strive to understand and respect the wisdom of the elders and the of Prophet *Ayah*.

3.4 The Délîné Got'îné Government must represent, protect and promote the interests of all residents of the Délîné District.

3.5 The members of the Délîné Got'îné Government who are participants under the Sahtu Dene and Metis Comprehensive Land Claim Agreement will, in good faith and with due diligence, manage the lands and assets, and exercise the powers and responsibilities of the Deline participants under the Sahtu Dene Metis Comprehensive Land Claim Agreement for the sole benefit of all Délîné participants and future generations to come.

3.6 The Délîné Got'îné Government is composed of the following:

- a) The *?ehkw'atidé*;
- b) The Délîné K'aowædó Kœ;
- c) The Délîné Æôda K'áowœ Kœ;
- d) The Délîné K'œ Dats'eredi Kœ;

e) Other institutions which may be established by the Délîné Got'îné Government.

4. The ?ehkw'atidé

4.1 The ?ehkw'atidé is the leader of the Délîné Got'îné Government and shall be elected by Délîné First Nation citizens for a term not exceeding four years.

4.2 The ?ehkw'atidé will understand, respect and practice our Dene culture, heritage, language and traditions and follow the wisdom of our elders and our ancestors.

4.3 The ?ehkw'atidé represents, protects and promotes the interests of our people, and speaks with one voice for all *Sahtuo'tine*.

4.4 The ?ehkw'atidé must:

- (a) be a DFN Citizen;
- (b) be a resident of Délîné, in accordance with a residency requirement as set out in Délîné Got'îné Government law; and
- (c) meet a minimum age requirement as set out in Délîné Got'îné Government law.

5. The Délîné K'aowædó Kœ

5.1 The Délîné K'aowædó Kœ shall consist of eight to twelve voting members, including:

a) The ?ehkw'atidé, who shall chair the meetings of the Délîné K'aowædó Kœ;

b) An Æôda Representative appointed by the Délîné Æôda K'áowœ Kœ; and

c) members at large elected by eligible residents of the Délîné District for a term not exceeding four years.

5.2 The Délîné K'aowædó Kœ shall adopt an elections law including provisions for the size of the Délîné K'aowædó Kœ, procedures for elections, including appeal procedures and election of the Land Claim Participants Advisory Council.

5.3 Deline Got'îné Government law may require that up to 75% of members of the Délîné K'aowædó Kœ, including the ?ehkw'atidé and the Æôda Representative, be DFN Citizens.

5.4 The Délîné K'aowædó Kœ shall be the legislative body of the Délîné Got'îné Government with responsibility to exercise the jurisdictions and authorities set out in the Délîné Got'îné Æædó and the Délîné Final Self-Government Agreement.

5.5 Subject to this Délîné Got'îné Æædó and the Final Self-Government Agreement, the Délîné K'aowædó Kœ may take all such actions as are required to carry out its responsibilities.

5.6 The Délîné K'aowædó Kœ may discuss, debate and enact laws in relation to all matters for which the Délîné Got'îné Government has authority pursuant to the Délîné Final Self-Government Agreement and in accordance with this Délîné Got'îné Æædó.

5.7 The Délîné K'aowædó Kœ shall strive to reach its decisions by consensus and through broad participation and consultation. When consensus cannot be achieved decisions may be made by a majority vote of those present subject to the requirements in Délîné Got'îné Government law.

5.8 A member of the Délîné K'aowædó Kœ shall not participate in the discussion or voting on any question on which he or she has a conflict of interest.

5.9 At least once per year, the Délîné K'aowædó Kœ shall report in writing on its activities and those of its institutions.

6. The Délîné Æôda K'áowœ Kœ

6.1 The Délîné Æôda K'áowœ Kœ shall be composed of all Délîné First Nation elders.

6.2 The Délîné Æôda K'áowœ Kœ may provide advice on any matter to the Délîné K'aowædó Kœ and its institutions.

6.3 Following each election of the Délîné K'aowædó Kœ, the Délîné Æôda K'áowœ Kœ shall appoint

from among its members an Elders Representative to serve on the Délîné K'aowædó Kœ for the term of the Délîné K'aowædó Kœ .

7. The Délîné K'œ Dats'eredi Kœ

7.1 The Délîné K'œ Dats'eredi Kœ shall be composed of three to five members appointed by the Délîné K'aowædó Kœ for a term not to exceed four years.

7.2 Members of the Délîné K'œ Dats'eredi Kœ shall exercise their judicial functions independently from the other branches of the Délîné Got'îné Government and may only be removed on grounds of incapacity, conviction of an offence under the *Criminal Code* or judicial misconduct.

7.3 The Délîné K'œ Dats'eredi Kœ shall be responsible for:

a) The administration of sanctions for violations of Délîné Got'îné Government laws;

b) the administration of alternative dispute measures programs and extra-judicial programs;

c) the performance of dispute resolution functions;

d) the hearing of appeals or re-hearings in relation to administrative decisions of the Délîné Got'îné Government and institutions made

pursuant to Délîné Got'îné Government laws; and

e) such other duties and functions assigned to it under Délîné Got'îné Government laws; as authorized by the Final Self-Government Agreement.

7.4 Members of the Délîné K'œ Dats'eredi Kœ are expected to have knowledge and understanding of Dene laws and traditions.

8. Beneficiaries Board

8.1 A Beneficiaries Board shall be composed of three to five members elected by adult resident and non-resident participants under the Sahtu Dene and Metis Comprehensive Land Claim Agreement who are DFN citizens or entitled to be DFN citizens.

8.2 The ?ehkw'atidé and the Délîné K'aowœdó Kœ shall work with and receive advice from the Beneficiaries Board on all matters relating to the Sahtu Dene and Metis Comprehensive Land Claim Agreement, including the management of lands and other assets as provided in the Final Self-Government Agreement.

9. Délîné Áénats'ehd£ Dzené

9.1 All Délîné First Nation citizens have the right to attend the Délîné Áénats'ehd£ Dzené, and may speak, to ask questions and make

recommendations to the Délîné Got'îné Government.

9.2 All residents of the Délîné District may also attend the Délîné Áénats'ehd£ Dzené and participate in its deliberations.

9.3 At least once every calendar year, the Délîné Got'îné Government shall report to the Délîné Áénats'ehd£ Dzené and to all residents of the Délîné District on all financial, administrative and operational matters of the Délîné Got'îné Government and of its institutions and shall outline the financial, administrative and operational plans of the Délîné Got'îné Government.

9.4 The audited financial statements of the Délîné Got'îné Government and its institutions shall be tabled at the annual meeting of the Délîné Áénats'ehd£ Dzené.

9.5 The Délîné Got'îné Government shall also provide a written report to Délîné participants at the annual meeting of the Délîné Áénats'ehd£ Dzené on the management and administration of assets, lands and responsibilities under the Sahtu Dene and Metis Comprehensive Land Claim Agreement.

10. Citizenship

10.1 The Délîné Got'îné Government shall pass laws which establish criteria and procedures for being a Délîné First Nation citizen.

10.2.1 Persons who were, on the Effective Date of the Final Self-Government Agreement, members of the Délîné Land Corporation and of the Délîné First Nation Band, or who were entitled to be members, have the right to be Délîné First Nation citizens.

10.2.2 Notwithstanding 10.2.1, a person (1) who has citizenship under another aboriginal self-government agreement or (2) who is on an *Indian Act* band list other than the Deline First Nation band list, is not entitled to be a DFN Citizen.

10.3 Délîné First Nation citizens have the right to be consulted by and to participate in the Délîné Got'îné Government as provided in Délîné Got'îné Government laws

10.4 Délîné First Nation citizens have the right to good government that is accountable to all and that acts with openness and with integrity and is responsive to the needs of the community.

10.5 Délîné First Nation citizens have responsibilities to our public government, to each other, to our neighbours and our community, to our traditions and heritage and to our environment.

10.6 Délîné First Nation citizens must work together with the Délîné Got'îné Government, to seek consensus and harmony, and to participate in ensuring effective, accountable and good government for all.

10.7 Délîné First Nation citizens must help one another and respect one another. We must work toward the good of the community. We must respect our leaders and the elders and support our youth. We must learn, maintain and speak our language. We must learn, maintain and follow our traditions. We must speak with openness and build our sense of community. We must help one another provide for our needs and share with one another in our bounty.

10.8 Délîné First Nation citizens must respect and live in harmony with our environment: the lands, waters, animals and plantlife. We must ensure that these resources are preserved for future generations, to depend upon and to sustain our traditions in the way we have and our ancestors have since time immemorial.

11. Official Languages

11.1 The official languages of the Délîné Got'îné Government are North Slavey and English. All persons have the right to communicate with and receive available services from the Délîné Got'îné Government and its institutions in either North Slavey or English.

12. Accountability

12.1 The Délîné Got'îné Government, its institutions, officials and representatives have been entrusted to carry out our right of

self-governance and are accountable to the Délîné First Nation citizens and to residents of the Délîné District.

12.2 Délîné Got'îné Government shall present an annual report to the Délîné Áénats'ehd£ Dzené as set out in this Délîné Got'îné Æædó.

12.3 The Délîné Got'îné Government is accountable to all participants in relation to all matters arising from the management and administration of the Sahtu Dene and Métis Comprehensive Land Claim agreement and will report thereon to the Délîné Áénats'ehd£ Dzené.

12.4 The Délîné Got'îné Government, its institutions, officials and representatives shall exercise all powers and authorities in a manner consistent with this Délîné Got'îné Æædó and Délîné Got'îné Government laws and shall:

- (a) act with respect and fairness and without discrimination or abuse;
- (b) strive to consult with and to seek consensus of all Délîné Citizens, particularly in relation to important community decisions;
- (c) allow for and encourage the full and free expression and participation of all Délîné citizens; and
- (d) protect our lands, waters and resources, including the

protection and enhancement of all living things.

- (e) give priority to teaching and educating Délîné citizens and to capacity building in the community of Délîné.

13. Amendment of Délîné Got'îné Æædó

13.1 Notice, including a written explanation of the amendment, must be given to all DFN citizens of any proposed amendment to this Délîné Got'îné Æædó at least 90 days prior to a secret ballot vote to approve or reject such an amendment.

13.2 Amendment to this Délîné Got'îné Æædó must be approved by a secret ballot vote of at least 60% of adult DFN citizens who vote provided that at least 25% of all adult DFN citizens participate in such a vote.

14. Amendment of Final Self-Government Agreement

14.1 Notice, including a written explanation of the amendment, must be given to all DFN citizens of any proposed amendment to the Final Self-Government Agreement at least 90 days prior to the secret ballot vote to approve or reject such amendment under s. 14.2

14.2 Subject to 14.3, any proposed amendment to the Final Self-Government Agreement must be approved by a secret ballot vote of at

least 60% of the adult DFN citizens who vote provided that at least 25% of all adult DFN citizens participate in such a vote.

14.3 Where the Délîné K'aowædó Kœ determines that an amendment to the Final Self-Government Agreement is a minor amendment, such amendment may be approved by decision of the Délîné K'aowædó Kœ, provided that such amendment has previously been reported to a meeting of the Délîné Áénats'ehdÉ Dzené which has agreed that such minor amendment can be considered and approved by the Délîné K'aowædó Kœ rather than by a secret ballot vote under 14.2.

NOTE: Pursuant to the Final Self-Government Agreement, on or before the date of the ratification vote for the Final Self-Government Agreement the Délîné Got'îné Æædó is to be approved by the members of the Délîné First Nation Band and of the Délîné Land Corporation.